



## 1997 SENATE BILL 207

May 13, 1997 - Introduced by Senators BURKE, CLAUSING, HUELSMAN, MOEN, PLACHE, ROESSLER and ROSENZWEIG, cosponsored by Representatives BOCK, BLACK, ALBERS, BOYLE, CULLEN, GRONEMUS, GUNDERSON, HARSDORF, NOTESTEIN, PLALE, RILEY, SERATTI, SYKORA and TURNER. Referred to Committee on Judiciary, Campaign Finance Reform and Consumer Affairs.

1     **AN ACT** *to amend* chapter 942 (title); and *to create* 939.32 (1) (f), 942.08 and  
2             944.25 of the statutes; **relating to:** looking into a building for sexual purposes,  
3             criminal invasion of privacy and providing penalties.

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### *Analysis by the Legislative Reference Bureau*

Under current law, there are various crimes involving sexually related activity, such as prohibitions against a person exposing his or her genitals in public or committing a sex act in public. In addition, under current law, with certain exceptions, a person is prohibited from doing any of the following: 1) making a visual representation (including a photograph, motion picture or videotape) that depicts nudity without the knowledge and consent of the person who is depicted nude; or 2) possessing or distributing a visual representation that depicts nudity if the person knows or has reason to know that the visual representation was made without the knowledge and consent of the person who is depicted nude.

This bill does all of the following:

1. The bill prohibits a person from knowingly installing or using a surveillance device in any place with the intent to observe any nude or partially nude person without the consent of the person observed. The prohibition applies only if the person is acting for purposes of sexual gratification or arousal. The bill defines "surveillance device" to mean any device, instrument, apparatus, implement, mechanism or contrivance that is used, designed to be used or primarily intended to be used to observe the activities of a person, including a peephole or similar method of direct sight observation. A person who violates the prohibition created in the bill may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.



